

**WESTCHESTER MUNICIPAL PLANNING FEDERATION  
PLANNING ACHIEVEMENT AWARD NOMINATION FORM**

**East Post Road Comprehensive Planning and  
Plan Implementation**



**City of White Plains**



**WESTCHESTER MUNICIPAL PLANNING FEDERATION  
PLANNING ACHIEVEMENT AWARD NOMINATION FORM**

Nominations for "Planning Achievement Award" must be submitted by  
**March 16, 2012** to:

**Electronic submissions (preferred) <http://www.wmpf.org/award-submissions>**

**or**

**John Tegeder, WMPF Director-at-Large  
Yorktown Planning Department  
1974 Commerce Street, Yorktown Heights, NY 10598  
(914) 962-6565 — (e-mail) [jtegeder@wmpf.org](mailto:jtegeder@wmpf.org)**

Project Name: East Post Road Comprehensive Planning and Plan Implementation

Municipality: City of White Plains

Project location:  
(Streets) Longview Avenue, Maple Avenue, and Cromwell Place

Project Description: Successful implementation of the City's Comprehensive Plan as a transformative tool to improve the East Post Road Corridor by constructing a 754-space parking garage to provide needed parking to support White Plains Hospital Center, and to support the revitalization of retail, office, and area residential uses. Also, to allow construction of an 86-unit assisted living facility that serves an aging population in a building that is situated to be a transition to the lower density, two-family residential district to the south.

On a separate sheet, in 250 words or less, please describe the special planning achievement(s) associated with this project.

Funding Sources: City of White Plains, White Plains Urban Renewal Agency, White Plains Hospital Center, White Plains Kensington, and sale of land in project area

Participating Groups: City of White Plains, White Plains Urban Renewal Agency, White Plains Hospital Center, White Plains Kensington

Submitted by: City of White Plains

Name and title: Susan F. Habel, Commissioner of Planning

Municipality: City of White Plains

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**2012 Planning Achievement Nomination:  
White Plains - East Post Road Comprehensive Planning and Plan Implementation**

**Summary Description**

The White Plains Comprehensive Plan has served as a vital tool for identifying and facilitating implementation of community goals in the Post Road Corridor. With the closure of area hospitals, White Plains Hospital Center (WPHC) has become the primary first-response hospital in Central Westchester and is planning a major expansion. The Plan identifies the need to support WPHC as well as retail, office, and residential uses in the Post Road Corridor. To address another community need, the City established a goal of providing assisted living for the frail elderly.

To implement the Comprehensive Plan goals, the City amended the Zoning Ordinance to create Assisted Living Facility as a permitted use in the O-R district, and established the East Post Road Phase II Urban Renewal Project to enable: redevelopment through acquisition of privately-owned parcels; funding; and assembly and reconveyance of parcels to a designated redeveloper for the purpose of developing parking facilities and also housing for the frail elderly.

Redevelopment involved construction of a 754-space municipal garage as a joint venture by the City of White Plains, Urban Renewal Agency, and WPHC; leasing 42% of the parking at cost to WPHC for 99 years. The project also involved construction of an 86 unit assisted living facility known as White Plains Kensington, relocation of Legal Services of the Hudson Valley from 4 Cromwell Place to larger building at 90 Maple Avenue, and re-use of 4 Cromwell Place for dental offices. Sidewalk, lighting, landscaping, and utility improvements also were made.

**2012 Planning Achievement Nomination:  
White Plains - East Post Road Comprehensive Planning and Plan Implementation**

## **ATTACHMENTS**

Project Location Maps

- White Plains Downtown
- Project Location Map - East Post Road Phase II Urban Renewal Project
- Disposition Parcel Map - East Post Road Phase II Urban Renewal Project

Project Development Data and Public Benefit Analysis

Comprehensive Plan Context

Zoning Amendment

Project Site Conditions Pre and Post Development (photographs)

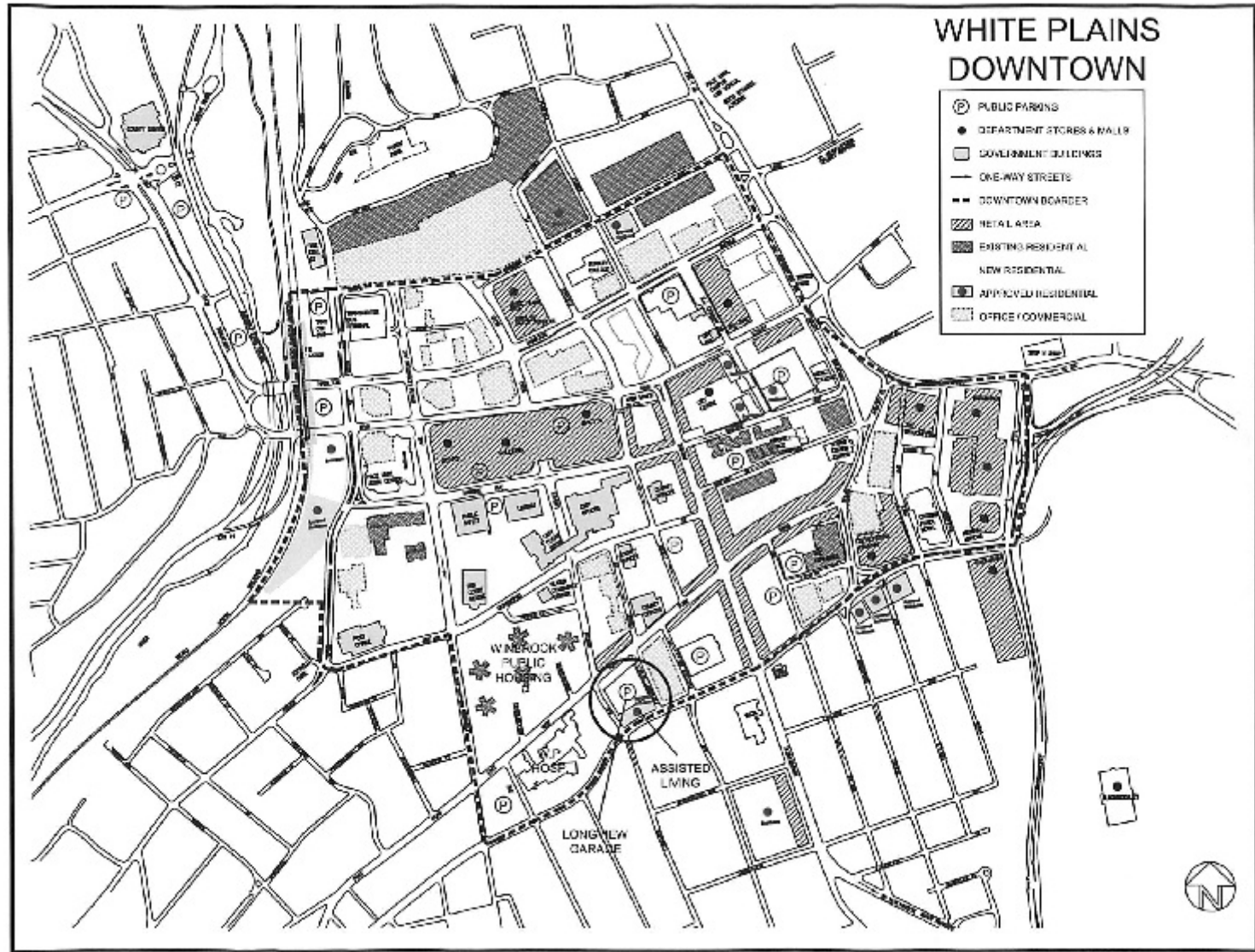
Appendices

- A. Project Approval History
- B. East Post Road Phase II Urban Renewal Project, Project No WPUR 9B,

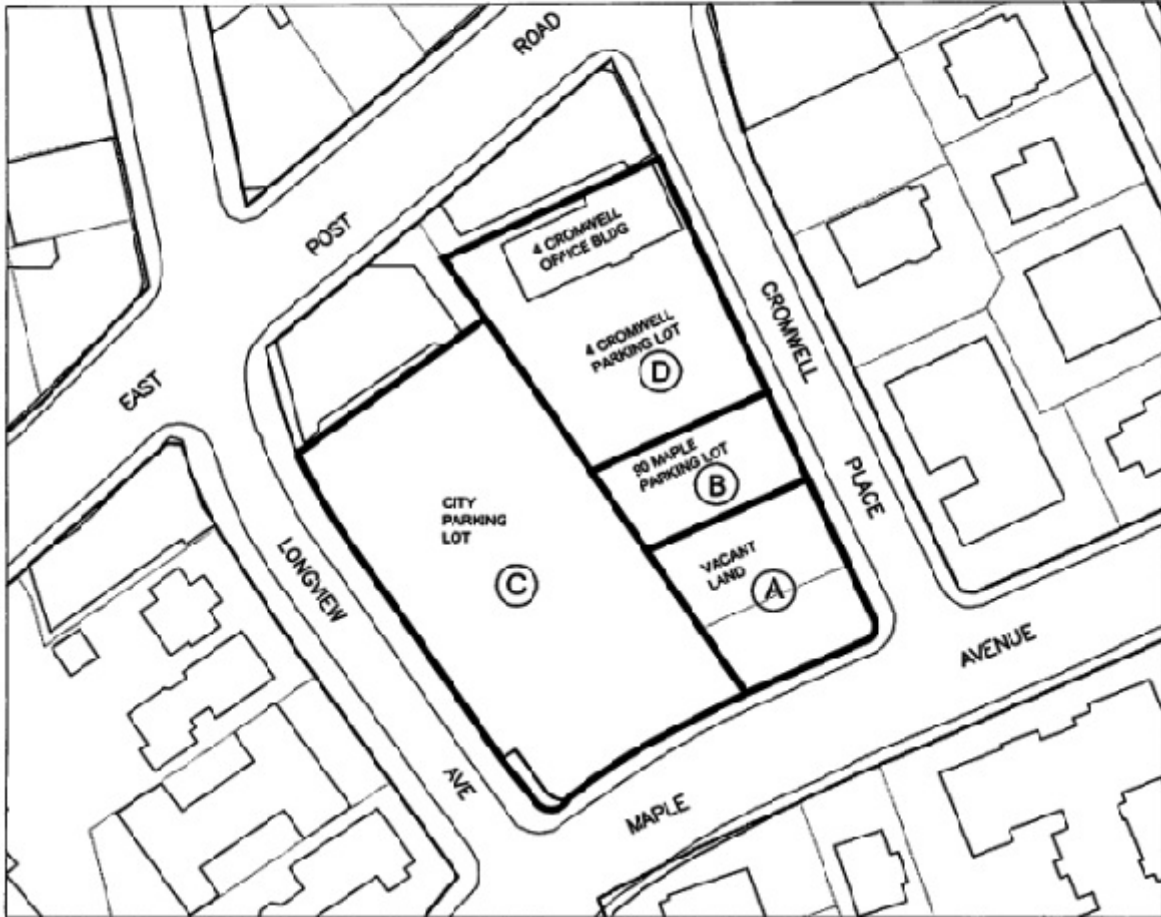
**Attachment A**

**PROJECT LOCATION MAPS**

# WHITE PLAINS DOWNTOWN



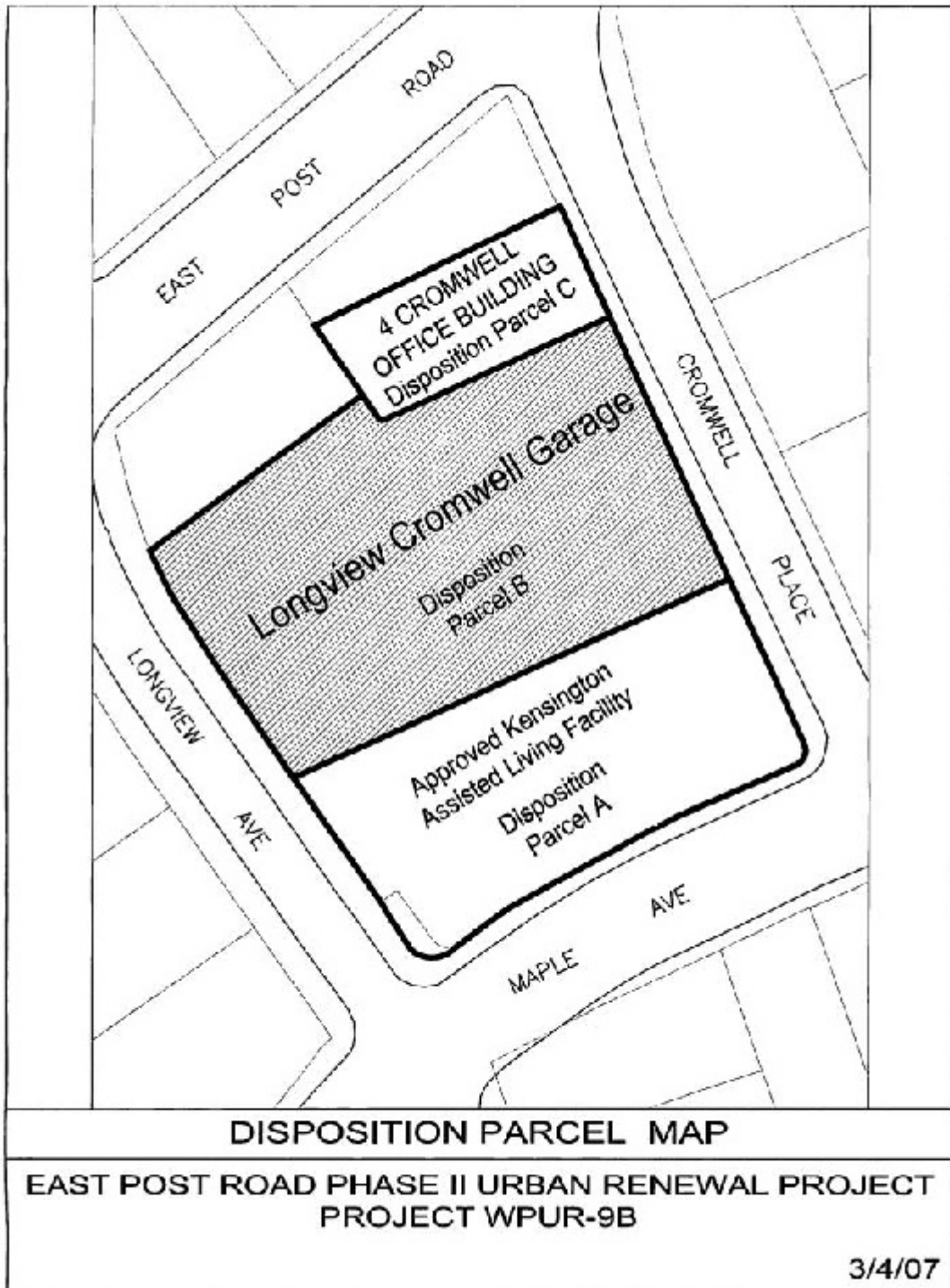
# PROJECT LOCATION MAP - EAST POST ROAD PHASE II URBAN RENEWAL PROJECT (Original lot lines)



- (A) = ACQUISITION PARCEL A  
SBL 130.27-4-4 AND 5
  - (B) = ACQUISITION PARCEL B  
SBL 130.27-4-3
  - (C) = ACQUISITION PARCEL C  
SBL 130.27-4-6
  - (D) = ACQUISITION PARCEL D  
SBL 130.27-4-2
- TOGETHER THE PROJECT SITE**

CITY OF WHITE PLAINS, NEW YORK				
WHITE PLAINS PLANNING DEPARTMENT				
EAST POST ROAD PHASE II URBAN RENEWAL PROJECT				
PROJECT NO. WPUR-9B				
PROJECT LOCATION MAP				
DATE	REVISED	DRAWN BY	CHECKED BY	Map No. 9B-3
5/12/04	3/4/07	D.M.	S.F.	

# DISPOSITION PARCEL MAP - EAST POST ROAD PHASE II URBAN RENEWAL PROJECT





**2012 Planning Achievement Nomination:  
White Plains - East Post Road Comprehensive Planning and Plan Implementation**

**Attachment B**

**PROJECT DEVELOPMENT DATA AND PUBLIC BENEFITS**

1. Construction of a 754-space new municipal parking garage, serving White Plains Hospital Center, retail shoppers, offices, and area residents. Opened November 26, 2008, the garage contains 388 public parking spaces, and 366 spaced dedicated to specific users as follows:
  - 324 spaces for White Plains Hospital Center, patients, medical staff, and visitors to the expanded emergency room. The Hospital has a 99 year lease on the parking spaces, and pays its proportional share of the debt service, operation, and maintenance of the garage. (Prior to this project, more than 200 Hospital staff were parking on top of the Galleria parking garage and being shuttled to the Hospital on a daily basis.)
  - 25 spaces designated for 90 Maple Realty Associates, LP (replacement for parking lost by acquisition of former at grade private parking lot on Cromwell).
  - 17 new spaces for Legal Services of the Hudson Valley if they choose to lease them (replacement for parking lost by acquisition of former lot).

Increased availability of parking in the area will reduce parking encroachment into the abutting residential neighborhood.

The garage includes energy efficient features and incorporates a “green wall” along its southern facade, facing the adjacent Kensington building, which when planted will provide privacy for the Kensington residents and screen views of the garage.

2. Construction of the White Plains Kensington Assisted Living Facility for 86 elderly frail residents. Opened September 2011. This is a five-story residential structure, built over two levels of parking. This residential building serves as a transition between the downtown and the Upper Highlands neighborhood to the south.
3. Upgrading of infrastructure, sidewalks, landscaping within the Project Area, including placement of utility lines underground.
4. Facilitation of relocation of Legal Services of the Hudson Valley from 4 Cromwell Place, in the project area, to larger offices at 90 Maple Avenue, thereby keeping the office in the same area.
5. Sale and re-use of the building at 4 Cromwell Place building for dental offices, thereby promoting health/medical uses in the area.

6. Revitalization of East Post Road Corridor by providing safe and extensive parking for existing and new uses.
7. Providing additional neighborhood parking resources for the nearby Winbrook public housing development.
8. Negotiated purchase of four privately owned properties to consolidate the development site and reconfigure the lot lines to accommodate the Longview Cromwell Garage and Kensington assisted living facility.

**2012 Planning Achievement Nomination:  
White Plains - East Post Road Comprehensive Planning and Plan Implementation**

**Attachment C**

**COMPREHENSIVE PLAN CONTEXT**

**A. 1997 Comprehensive Plan**

The 1997 Comprehensive Plan and the 2006 Plan Updates offer the following Vision Statement for the Post Road corridor:

*“The Plan envisions the Post Road corridor as an attractive mixed use gateway to the city. To the south, near the Scarsdale municipal boundary, a mix of well landscaped, new and upgraded low and medium density residential properties would be linked by stone walls and upgraded public infrastructure. Revitalized commercial areas beginning north of the intersection with Maple Avenue would be enhanced with new attractive facades and signage, well designed and appropriately scaled new development and new pedestrian oriented public infrastructure which establish a design theme for the corridor. The continued importance of the White Plains Hospital and the Winbrook housing community are also key to the vision for Post Road, with improved connections and complementary land uses which avoid residential impacts. The abutting lower density residential neighborhoods would be protected by maintaining and enhancing existing natural buffers and strictly controlling traffic and parking generated by corridor commercial uses.”*

The 1997 Comprehensive Plan offers the following analysis regarding the WPHC:

- \* *"The hospital is a major institutional use and one of the largest employers in the city. In recent years it has undergone significant expansion with future additions planned or in the approval process. The most recent wing added at the corner of Davis Avenue and Post Road, the Flanzer Pavilion, orients the hospital complex entryway and emergency room toward Post Road. East of the Hospital on Longview, the Hospital is developing a new cancer treatment center. These new facilities reinforce the hospital as the major activity center in the corridor."*
- \* *WPHC is now the largest employer in White Plains and the sixth largest employer in Westchester County with over 1,300 employees.*

The 1997 Comprehensive Plan identified inadequate parking as one of the key factors negatively impacting the economic viability of the area. The 1997 Comprehensive Plan states, among other things:

*"To the east of the hospital block across Longview Avenue is a municipal parking lot which abuts a private medical office building at the corner of Longview and Post, and a vacant lot at the corner of Maple and Cromwell Place. The at-grade parking lot and the*

*vacant lot create the potential for developing additional parking to serve businesses and hospital related uses in this section of the corridor and to attract additional hospital related uses."*

The 1997 Comprehensive Plan offered the following Strategies for the Post Road corridor:

- *Limit the spillover of traffic and parking impacts from the White Plains Hospital into the Highlands neighborhood by supporting the expansion of White Plains Hospital within its block consistent with a Hospital Master Plan.*
- *Prohibit expansion of medical related uses, including parking and conversion of residences to medical offices.*
- *Encourage hospital related development which meets both hospital and neighborhood needs by creating land use and development regulations that encourage a mix of medical related and retail uses along this section of the corridor.*
- *Work with the hospital to deck the Longview municipal parking lot to provide increased parking for users of Post Road businesses and the hospital and to permit construction of medical related uses over the parking structure. Such uses could include medical offices, staff housing and hospital administrative functions that do not need to be performed in the main building.*

#### **B. 2006 Comprehensive Plan Update**

The 2006 Comprehensive Plan Update reiterated the strategies listed in the 1997 Comprehensive Plan and provided the following additional strategies:

- *Limit the spillover of commercial parking into the abutting residential neighborhood by ensuring that all changes to, and redevelopment of, existing commercial uses in this section of the corridor include adequate off-street customer and employee parking.*

The 2006 Plan Update added the following new comment:

*By creating a municipal parking garage on the site of the Longview Parking Lot, residents in the northern end of the Highlands neighborhood who live in cooperative and condominium buildings and at Winbrook, with inadequate parking, will have an additional supply of overnight and weekend parking available to them.*

**2012 Planning Achievement Nomination:  
White Plains - East Post Road Comprehensive Planning and Plan Implementation**

**Attachment D**

**ZONING AMENDMENT FOR ASSISTED LIVING FACILITY**

The East Post Road Phase II Project required a Zoning Ordinance amendment, to establish a definition of an Assisted Living Facility and to permit such facilities to be located in the O-R Office Residential District, among other districts. Below is the ordinance, adopted by the Common Council at its September 4, 2004 meeting:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS WITH RESPECT TO ASSISTED LIVING FACILITIES

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Zoning Ordinance of the City of White Plains, adopted June 1, 1981, as amended to date, is further amended at Section 2, Definitions, by the addition, after "Area Variance," of a new definition to read as follows:

"Assisted Living Facility"

A residential facility, such as a senior living community with care provided by a licensed home care services agency, which combines "dwelling units," communal dining, routine protective oversight, personalized assistance and supportive services, and health care designed to meet the individual needs of "persons" who need help with the activities of daily living, including but not limited to, eating, bathing, dressing, getting to and using the bathroom, getting in and out of bed or chair, mobility, and, in appropriately designed facilities, accommodations for Alzheimer's patients, but do not need the skilled medical care provided by a nursing home, convalescent care facility or "domiciliary care facility."

§2. The definition of "Domiciliary Care Facility" in Section 2 of the Zoning Ordinance is amended to read as follows:

"Domiciliary Care Facility"

A private proprietary nursing home, a private proprietary convalescent home, a private proprietary home for adults, a residence for adults, an intermediate care facility, a family home for adults, a home for the aged, a home for adults, a group residence or any other residential facility for adults as defined in the New York State Social Services Law or regulations promulgated thereunder and any similar facilities operated under the supervision of federal departments and agencies. The keeping of a "roomer" or "roomers" as otherwise permitted in this Ordinance, pursuant to the regulations of the New York State Department of Social Services for family-type homes for adults (18 NYCRR Part 485), or an "Assisted Living Facility" does not constitute a "Domiciliary Care Facility."

§3. The Zoning Ordinance is further amended at Section 5.1, Schedule of Use Regulations, to add "Assisted Living Facility" as a Principal Permitted Use in the O-R, CB-1, CB-2, CB-3 and CB-4 Districts.

§4. Section 5.2 of the Zoning Ordinance, List of Use Regulations, is amended to add "Assisted Living Facility" as a Principal Permitted Use in the O-R, CB-1, CB-2, CB-3 and CB-4 Districts.

§5. Section 5.3 of the Zoning Ordinance, Schedule of Dimensional Regulations, is amended as shown in the attached Schedule.

§6. The Zoning Ordinance is further amended, at Section 5.4.4, by the addition of a new section, Section 5.4.4.3, to read as follows:

For development of "assisted living facilities" in the O-R District, the minimum "yard" dimensions and the maximum "height" in "stories" and/or feet, shall be as required by the agency approving the site plan.

§7. Section 7.2 of the Zoning Ordinance is amended by the addition of a new section, Section 7.2.1.4, to read as follows:

"Assisted living facilities."

§8. The Zoning Ordinance is further amended at Section 8.3, Off-"Street" Parking and Loading Requirements, to add to MINIMUM NUMBER OF "PARKING SPACES"; OTHER, under Multi-family Dwellings:

0.4 per "dwelling unit" for Senior Citizen Assisted Housing or "assisted living facility."

§9. This ordinance shall take effect immediately.

Mr. Greer seconded the motion.

Adopted by the following roll call vote: Mr. Bernstein, Mr. Boykin, Mr. Delgado, Mr. Greer, Mrs. Malmud, Mr. Roach and the Mayor. 7 - 0.

**2012 Planning Achievement Nomination:  
White Plains - East Post Road Comprehensive Planning and Plan Implementation**

**Attachment E**

**PROJECT SITE CONDITIONS PRE-AND POST-DEVELOPMENT**

Page 1

Aerial photograph of the project site before construction. City of White Plains GIS (2007)

Aerial photograph of project site showing completed garage, and Kensington under construction.  
Google Earth (2010)

Page 2

Views of Kensington

Page 3

Views of Kensington and Longview Cromwell Parking Garage from Maple Avenue and  
Cromwell Place

Page 4

Views of Longview Cromwell Parking Garage from Longview Avenue.







**View of Kensington from Maple Avenue**



**View of Kensington from Longview Avenue with Longview Cromwell Garage in background.**



**View of Kensington from Maple at Cromwell Place, Parking Garage to the right.**

**View of Longview Cromwall Garage from Cromwell Place looking toward Maple Avenue, Kensington in background.**





**Longview Cromwell Parking Garage view from Longview. Kensington in the background.**



Longview Cromwell Parking Garage view from Longview. Kensington on the right.

## **Appendices**

- A. PROJECT APPROVAL HISTORY
- B. EAST POST ROAD PHASE II URBAN RENEWAL PROJECT, PROJECT NO. WPUR 9B

## Appendix A

### PROJECT APPROVAL HISTORY

White Plains Urban Renewal Agency and Common Council Actions:

1. September 1997 - Common Council approves Comprehensive Plan which calls for development of parking structure at the Longview municipal parking lot site to provide increased parking for users of Post Road businesses and the White Plaisn Hospital Center
2. January 29, 2004 - Agency determines the portion of the formerly (1988) designated East Post Road Urban Renewal Project, WPUR-9, defined as the East Post Road Phase II Urban Renewal Project, WPUR-9B, continued to be suitable and appropriate for urban renewal and is an appropriate location for a municipal parking garage consistent with the Comprehensive Plan and adopted the East Post Road Phase II Urban Renewal Plan.
3. April 7, 2004 - Common Council adopts SEQR findings and designates the boundary and adopted the Urban Renewal Plan for the East Post Road Phase II Urban Renewal Project, Project No. WPUR-9B.
4. July 22, 2004 - Common Council authorizes capital project for Longview Avenue Design.
5. September 4, 2004 - Common Council amends the Zoning Ordinance to establish the new use "Assisted Living Facility" as a permitted use in the O-R zoning district in which the East Post Road Phase II Areas is located.
6. January 25, 2006 - Agency amends the East Post Road Urban Renewal Project Phase II, Project No. WPUR-9B, to include the entire Property Known as 4 Cromwell Place and Amended the change in the East Post Road Phase II Urban Renewal Plan.
7. July 5, 2006 - Common Council adopts SEQR findings regarding an amendments to the Phase II Urban Renewal Plan to include 4 Cromwell Place.
8. July 5, 2006 - Common Council amends the Phase II Urban Renewal Plan to include 4 Cromwell Place for Phase II of the East Post Road Urban Renewal Project, Project No. WPUR-9B.
9. July 5, 2006 - Common Council approves conceptual site plans for a 700 space parking garage to be located in the East Post Road Phase II Renewal Project, Project No. WPUR-9B.
10. April 5, 2007 - Agency finds White Plains Kensington LLP as Qualified and eligible sponsor for the development of a five (5) story, 91 unit assisted living facility on a 25,600 square foot parcel.
11. April 5, 2007 - Agency approves Land Disposition Agreement (LDA) with White Plains Kensington LLP.

12. April 16, 2007 - Common Council adopts revised SEQR findings for redevelopment including 700 space garage and senior assisted living facility.
13. April 16, 2007 - Common Council approves Land Disposition Agreement (LDA) with White Plains Kensington LLP.
14. April 16, 2007 - Common Council authorizes acquisition by the White Plains Urban Renewal Agency of properties designated as to-be-acquired in Urban Renewal Plan.
15. April 16, 2007 - Common Council Authorizes the issuance of \$19,000,000 Bonds of the City of White Plains, Westchester County, New York, to Pay Part of the Cost of the \$19,657,000 Estimated Maximum Cost of the Construction of the Longview Municipal Parking Garage.
16. April 16, 2007 - Common Council authorizes the Guarantee of up to \$4,000,000 in Aggregate Principal Amount of Indebtedness of the White Plains Urban Renewal Agency, in Furtherance of the East Post Road Phase II Urban Renewal Plan.
17. April 18, 2007 - Agency designates White Plains Hospital Center as the Qualified and Eligible Sponsor for the Lease of a Minimum of One Half of the Parking Spaces in the Approved Longview Avenue Municipal Parking Garage and approves the Proposed Lease and Lease Terms.
18. May 7, 2007 - Common Council designates White Plains Hospital Center as the Qualified and Eligible Sponsor for the Lease of a Minimum of One Half of the Parking Spaces in the Approved Longview Avenue Municipal Parking Garage and approves the Proposed Lease and Lease Terms.
19. June 1, 2007 - Construction of the garage starts with the closing of the Longview Municipal Parking Lot.
20. August 6, 2007 - Common Council approves site plan for White Plains Kensington, LLC ("Applicant") to permit the construction of a five (5) story, 91-unit assisted living facility on a 25,600 square foot parcel.
21. January 24, 2008 - Agency purchases 4 Cromwell Place from Legal Services of the Hudson Valley.
22. March 20, 2008 - The Kensington LDA is executed on March 20, 2008.
23. July 17, 2008 - Agency approves amendment to the LDA to extend the due diligence period and Closing Date to No Later than January 30, 2009, due the additional time necessary to obtain Section 232 Mortgage Insurance from HUD.
24. October 16, 2008 - Agency recommends approval of amendment to the Phase II Urban Renewal Plan of the East Post Road Urban Renewal Project, Project No. WPUR-9B (Plan Modification #2) Authorizing Urban Renewal Demonstration Programs as Permitted under General Municipal Law Section 554(15).

25. November 26, 2008 - White Plains Mayor Joseph Delfino and White Plains Hospital Center President Jon Schandler officially opened the \$19 Million Longview Municipal Parking Garage, at a ribbon cutting ceremony. The garage holds 754 spaces of which 324 on the upper levels have been leased to the Hospital.
26. December 1, 2008 - Common Council amends the Phase II Urban Renewal Plan of the East Post Road Urban Renewal Project, Project No. WPUR-9B (Plan Modification #2) Authorizing Urban Renewal Demonstration Programs as Permitted under General Municipal Law Section 554(15).
27. December 8, 2009 - Sale of 4 Cromwell Place to 4 Cromwell Place LLC, for dental office use.
28. Dec. 18, 2009 - Sale and closing of development parcel to White Plains Kensington LLP.
29. February 2010 - White Plains Kensington LLP start of construction..
30. September 8, 2011 - Opening of White Plains Kensington LLP assisted living facility.

**Appendix B**

**EAST POST ROAD PHASE II URBAN RENEWAL PROJECT,**  
**PROJECT NO. WPUR 9B**

**EAST POST ROAD PHASE II URBAN RENEWAL PLAN**  
**EAST POST ROAD PHASE II URBAN RENEWAL PROJECT,**  
**PROJECT NO. WPUR-9B**

WHITE PLAINS URBAN RENEWAL AGENCY

WHITE PLAINS, NEW YORK

JANUARY 27, 2004  
REVISED JANUARY 25, 2006  
ADOPTED JULY 5, 2006  
REVISED DECEMBER 3, 2008



The  
East Post Road Phase II Urban Renewal Plan  
for the  
East Post Road Phase II Urban Renewal Project, WPUR-9B  
Project No. WPUR-9B

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		<u>Dated</u>	<u>Last</u>
Exhibit A:	Boundary Description	1/27/04	1/25/06
Exhibit B:			
Map No. WPUR 9B-1	Project Boundary	1/27/04	1/25/06
Map No. WPUR 9B-2	Land Acquisition and Land Use	1/27/04	1/25/06
Exhibit C:	Properties To Be Acquired	-	1/25/06

A. DESCRIPTION OF PROJECT

1. Boundaries of the East Post Road Phase II Urban Renewal Project, WPUR-9B.

The Boundaries of the East Post Road Phase II Urban Renewal Project, WPUR-9B, hereinafter referred to as the Project Area, are delineated in the Boundary Description, Exhibit A, and shown on Map No. WPUR 9B-1 Project Boundary, dated January 27, 2004.

2. Proposed Objectives.

The proposed objectives for the East Post Road Phase II Urban Renewal Project, WPUR-9B include:

(a) Removal, replacement with new construction and expansion or rehabilitation of deteriorated or deteriorating public infrastructure including public parking facilities;

(b) Removal and replacement with new construction of deteriorated, deteriorating or blighting conditions on privately owned properties;

(c) Development and implementation of a plan for the coordinated redevelopment of the Project Area, including the design of both public and private improvements consistent with the provisions of New York State General Municipal Law, Article 15.

(d) Carrying out of a program of redevelopment which supports and implements the City's Comprehensive Plan, accepted by the Common Council in September 1997, and the Comprehensive Plan Updates ("2006 Plan Updates" accepted by the Common Council on July 11, 2006, and promotes sound community planning and the public interest.

(e) Carrying out a program of demonstration and other activities relating to the arresting and prevention of deterioration and blight. The program may include, but is not limited to, redevelopment projects in which the White Plains Urban Renewal Agency itself as owner or lessee of the project site undertakes the financing and/or constructing of projects, including the issuance of bonds, with the support of a designated qualified and eligible sponsor which will agree to pay off the bonds and complete the demonstration program. The program will demonstrate to potential future sponsors and agencies that with joint public and private responsibility the urban renewal goals of the City and of this East Post Road Phase II Urban Renewal Plan for the East Post Road Phase II Urban Renewal Project, Project No. WPUR-9B, can be efficiently achieved, enabling the redevelopment contemplated by this Plan while meeting the City's goals, as stated in the 1997 Comprehensive Plan and the 2006 Plan Updates by addressing the needs in the East Post Road Phase II Project, Project No. WPUR-9B, including, as an example, the need for parking for White Plains Hospital Center and

area businesses, and the need for assisted living facilities for the frail elderly that would otherwise be unmet.

3. Proposed Types of Renewal Actions.

The Plan proposes a combination of actions to remove substandard, blighting and insanitary conditions in the East Post Road Phase II Urban Renewal Project, WPUR-9B including the following:

- (a) A program of replanning, clearance and reconstruction of selected properties;
- (b) The provision of new supporting parking facilities, whether public, private or a combination thereof, and the realignment or reconstruction of streets, drives and utilities, as is necessary for the effectuation of this Urban Renewal Plan.

( c ) A demonstration program of replanning, clearance and reconstruction of selected properties in which the White Plains Urban Renewal Agency itself may, as owner or lessee (1) reconstruct, repair, rehabilitate or otherwise improve such real property, such as by the financing and/or constructing of projects, including the issuance of bonds, with the support of a designated qualified and eligible sponsor which will agree to pay off the bonds and complete the demonstration project, or (2) may sell, lease or otherwise dispose of real property for the effectuation of such activities or purposes by the purchaser or lessee thereof, pursuant to the provisions of General Municipal Law Section five hundred fifty-six.

B. LAND USE PLAN

1. Land Acquisition and Land Use Map

The Land Acquisition and Land Use Map, Map No. WPUR 9B-2 for the East Post Road Phase II Urban Renewal Project, WPUR-9B shows thoroughfares, street rights-of-way and the boundaries of the Office-Residential District which constitutes the entirety of the Project Area.

2. Permitted Land Uses within the Project Area.

Post Road Phase II Urban Renewal Project, WPUR-9B shall consist of one Use District: Office-Residential Use District. The Permitted Uses in the Use District shown on the Land Acquisition and Land Use Plan, Map No. WPUR 9B-2, shall be those uses permitted under the Zoning Ordinance of the City of White Plains, as the same may from time to time be amended.

3. Regulations and Controls on Land Use.

Regulations and Controls Applying to the East Post Road Phase II Urban Renewal Project, WPUR-9B shall be as follows:

- (a) Parcel area, parcel dimensions, building dimensions, coverage, floor area ratios, height, setback

requirements mandatory off-street parking and loading requirements and other dimensional standards shall be in accordance with the Zoning Ordinance of the City of White Plains, as same may from time to time be amended.

- (b) The site plan and exterior design of all buildings, and structures, including municipal parking structures, and all signage proposed for the Project Area, including notes and samples of color and material of all exterior portions of buildings and structures, including signs, shall be subject to the approval of the White Plains Urban Renewal Agency. Such plans and designs shall be reviewed with respect to architectural style, general design, arrangement, location, and materials affecting exterior appearance.
  - (c) Unless paved, all open areas which are visible from the street shall be landscaped.
  - (d) No rooming or boarding houses shall be permitted in any portion of the Project Area.
  - (e) Subject to the White Plains Zoning Ordinance, as the same may from time to time be amended, and subject further to the approval of the Common Council of the City of White Plains, the White Plains Urban Renewal Agency may establish such interim uses in the Project Area as it deems feasible, desirable and in the public interest on property which has been acquired and not yet sold to a redeveloper.
  - (f) No use shall be permitted which is noxious or offensive by reason of emission of odor, dust, noise, smoke, gas, fumes, or radiation, or which in any other way presents a nuisance and hazard to public health and safety.
  - (g) There shall be no restriction of occupancy or use of any part of the Project Area on the basis of race, creed, color, sex, ancestry or national origin.
4. Regulations and Controls Applying to Properties of Historic or Architectural Value.  
There are no buildings or structures located on the properties located within the Project Area. No properties in the Project Area have been determined to be of Historic or Architectural Value.
5. Duration of Regulations and Controls.  
The regulations and controls contained in this Plan shall be binding and effective for all land acquired by the Agency and subsequently transferred by deed, lease or easement upon all purchasers, lessees, or parties who obtain an interest in the land through purchase, lease or easement and their heirs and assigns for a period of 35

years from the date of approval of this Plan by the Common Council of the City of White Plains, unless amended as provided in Paragraph E.

6. Controls on Parcels "not-to-be-acquired."

The following shall apply to all properties designated as "not-to-be-acquired":

- (a) All properties identified on the Land Acquisition and Land Use Map, Map No. WPUR 9B-2 and listed in Exhibit C as "not-to-be-acquired" shall be required to conform with all of the regulations and controls of the Office-Residential Use District with such exceptions as are in this Paragraph 6.
- (b) A structure which is non-conforming in regard to its meeting the coverage, setback, height, off-street parking, or off-street loading requirements of this Plan may continue, provided that, if it is enlarged, altered or reconstructed, complete conformity with the applicable regulations of the White Plains Zoning Ordinance and this Plan is required. However, where a structure is non-conforming and Project Area land is made available which is sufficient for the removal or reduction of said non-conformity, the owner shall be required to purchase said land at its fair market value. Notwithstanding the above, parking credits permitted under the White Plains Zoning Ordinance of the City of White Plains may be applied to reconstruction as provided in said Ordinance.
- (C) In the event that any owner fails to comply with any of the provisions set forth in this Paragraph 6 or indicates his inability or unwillingness to do so, the property may be acquired by the White Plains Urban Renewal Agency.

C. PROJECT PROPOSALS

1. Land Acquisition.

The following shall apply to the acquisition of property in the Project Area by the White Plains Urban Renewal Agency:

- (a) All real property within the Project Area shown on the Land Acquisition and Land Use Map, Map No. WPUR 9B-2, with the exception of parcels shown as "not-to-be-acquired" (NTBA) may be acquired for clearance and redevelopment. Such acquisition may include acquisition of fee or easement interest and leasehold interests in and/or encumbering the real property.
- (b) Properties designated as "not-to-be-acquired" (NTBA) may be acquired where property information and final engineering designs may indicate the need for minor revisions in severance lines, thus requiring their acquisition.

- (c) Properties identified as "to be acquired" (TBA) may not be acquired where property information and final engineering designs indicate the need for revisions in severance lines, thus making unnecessary the acquisition of said property.
  - (d) Property identified as "to be acquired" (TBA) as part of an assemblage of parcels may subsequently be determined to be unnecessary for the assemblage parcel, thus making unnecessary the acquisition of the property that is designated as "to be acquired" (TBA).
2. Conservation or Rehabilitation.  
There are no buildings or structures located within the East Post Road Phase II Urban Renewal Project, WPUR-9B. Therefore, no programs of conservation or rehabilitation of Project Area properties is proposed.
3. Redeveloper's Obligations.  
The Redeveloper's Obligations shall be as follows:
- (a) To prevent speculation in land holding in the Project Area, all private developers will be required to commence and complete the building of all proposed improvements within a reasonable time following their acquisition of the real property and any easements or leasehold interests therein.
  - (b) A redeveloper of any real property, easement or leasehold interest therein which property, easement or leasehold interest has been acquired from the White Plains Urban Renewal Agency may not sell, without prior approval of The White Plains Urban Renewal Agency and the governing body of the City of White Plains, any or all interest in Project Area property prior to the completion of redevelopment activities.
  - (c) In order to prevent discrimination by redevelopers in the use of property in the Project Area, each easement, conveyance or lease of property by the White Plains Urban Renewal Agency shall contain a covenant binding the purchasers or lessees or persons with an interest in the property and their successors in interest not to enter into any agreement restricting the sale, lease or occupancy of any real estate in the Project Area on the basis of race, sex, creed, color, ancestry or national origin.
4. Underground Placement of Utility Lines.

All new electric and telephone lines within the Project Area shall be installed underground. All existing overhead electric and telephone lines within the Project Area shall be removed and relocated underground except that overhead lines shall be permitted on the non-project side of boundary streets for connection to existing buildings with overhead services.

D. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS.

Listed below is that additional information deemed necessary for meeting requirements of Article 15 of the New York State General Municipal Law, as amended.

(c)

A new parking structure including a portion which will be municipally controlled parking is contemplated in the Project Area. This new municipally controlled parking will replace, and be constructed partially upon the site of, an existing municipally owned at-grade parking lot. Improvements to existing public facilities contemplated in the Project Area also include street, and sidewalk improvements, sidewalk lighting improvements, landscaping and utility improvements and improvements.

2. The Zoning Ordinance is the only code or ordinance of the City of White Plains which must be amended in order to effectuate this Plan. The proposed timing of all amendments to the Zoning Ordinance are precedent to the acquisition by the White Plains Urban Renewal Agency of any affected parcel and prior to its disposition to a redeveloper. The required amendments to the existing Zoning Ordinance include the establishment of new use and dimensional regulations for Senior Assisted Living in the O-R (Office-Residential) District.
3. It is impossible to establish a binding time schedule for the effectuation of this Urban Renewal Plan because of the several agencies, properties, re-uses and other activities involved. The time schedule which follows is included as a general guide and contains approximate target dates which the White Plains Urban Renewal Agency will make every reasonable effort to meet:

(a) Approval of Plan:	April 2004
(b) Amendment of the Zoning Ordinance	May 2004
(c) Acquisition of Property	May 2004
(d) Designation of Sponsor	May 2004
(e) Site Plan Approval	June 2004
(f) Disposition of Property	July 2004
(g) Demolition of Structures:	not required
(h) Commence Reconstruction:	Summer 2004



E. PROCEDURE FOR CHANGES IN THE APPROVED PLAN

This Plan may be modified at any time by the City of White Plains provided, if modified after the lease or sale of real property in the Project Area, such modification must be consented to by the redeveloper(s) of such real property or their successor(s) in interest affected by the proposed modification. Where the proposed modification will substantially change said Plan, the approval of the proposed modification shall follow the same procedure as that which governed the adoption of this Plan.

## EXHIBIT A

### East Post Road Phase II Urban Renewal Project Project No. WPUR-9B

#### Boundary Description

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of White Plains, County of Westchester, State of New York, bounded and described as follows:

BEGINNING at the point on the southerly right-of-way line of Maple Avenue which is the intersection with the southerly projection of the westerly right-of-way line of Cromwell Place and proceeding;

Thence, in a northerly direction along the aforesaid southerly projection of and the westerly right-of-way line of Cromwell Place and along the easterly lot lines of Section 130.27, Block 4, Lots 5, 4, 3 and 2 to a point on the common lot line between Lot 2 and Section 125.83, Block 6, Lot 1;

Thence, in a westerly direction along the northerly lot line of Section 130.27, Block 4, Lot 2 to a point on the easterly lot line of the Section 130.27, Block 4, Lot 1;

Thence, in a southerly direction along the easterly lot line of Section 130.27, Block 4, Lot 1 to a point on the common lot line between Lot 1 and Lot 6;

Thence, in a westerly direction along the northerly lot line of Section 130.27, Block 4, Lot 6 to a point on the easterly right-of-way line Longview Avenue;

Thence, in a northerly direction along the easterly right-of-way line Longview Avenue to a point on the southerly right-of-way line of East New York Post Road;

Thence, in a westerly direction along the southerly right-of-way line of East New York Post Road to a point on the westerly right-of-way line Longview Avenue;

Thence, in a southerly direction along the westerly right-of-way line Longview Avenue to a point of intersection with the southerly right-of-way line of Maple Avenue;

Thence, in an easterly direction along the southerly right-of-way line of Maple Avenue to a point of intersection with the southerly projection of the westerly right-of-way line of Cromwell Place which is the point of BEGINNING.

1/27/04

Revised: January 25, 2006

**EXHIBIT B**

Map No. WPUR 9B-1 Project Boundary	1/27/04	1/25/06
Map No. WPUR 9B-2 Land Acquisition and Land Use	1/27/04	1/25/06

Maps on file at offices of White Plains Urban Renewal Agency, City Hall Annex, 255 Main Street, White Plains, NY

## EXHIBIT C

### EAST POST ROAD PHASE II URBAN RENEWAL PROJECT, WPUR-9B PROPERTIES TO BE ACQUIRED

All of the properties located within the project boundaries of the East Post Road Phase II Urban Renewal Project, WPUR-9B are designated as "to-be-acquired" (TBA) Those properties, by Section-Block-Lot number are as follows:

Address	Section-Block-Lot	Owner	Status
10 Cromwell Place	130.27-4-3	90 Maple Realty	TBA
12 Cromwell Place	130.27-4-4	Cromwell Properties	TBA
14 Cromwell Place	130.27-4-5	Cromwell Properties	TBA
11 Longview Ave.	130.27-4-6	City of White Plains	TBA
All or a portion of 4 Cromwell Place	130.27-4-2	Mid-Hudson Valley Legal Services	TBA

Revised: January 25, 2006